

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF  
TENNESSEE WESTERN DIVISION

FILED BY *CF* D.C.  
05 AUG 26 PM 3:39

Kimberly Robinson Byars  
Plaintiff

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TENNESSEE

Vs.

No. 04-2939-mLV

John E. Potter, Postmaster General  
Defendant

Scheduling Order

Pursuant to written notice, a scheduling conference was held August 25, 2005.

Present were Kimberly Byars, plaintiff, pro se, and Harriett Miller Halmon, counsel for  
defendants. At the conference, the following dates were established as the final dates for:

**INITIAL DISCLOSURES PURSUANT TO Fed. R. Civ.P.26(a)(1): September 15,  
2005**

**JOINING PARTIES: OCTOBER 26, 2005**

**AMENDING PLEADINGS: OCTOBER 26, 2005**

**INITIAL MOTIONS TO DISMISS: NOVEMBER 28, 2005**

**COMPLETING ALL DISCOVERY: MARCH 01, 2006**

- (a) **DOCUMENT PRODUCTION: MARCH 01, 2006**
- (b) **DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR  
ADMISSIONS: MARCH 01, 2006**
- (c) **EXPERT WITNESS DISCLOSURE (RULE 26):**
  - (1) **DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT  
INFORMATION: JANUARY 31, 2006**
  - (2) **DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT  
INFORMATION: JANUARY 31, 2006**
  - (3) **EXPERT WITNESS DEPOSITIONS: MARCH 31, 2006**

**FILING DISPOSITIVE MOTIONS: MARCH 01, 2006**

*may*

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**OTHER RELEVANT MATTERS:**

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation after the close of discovery.

The parties are reminded that pursuant to Local Rule 11 (a)(1)(A), all motion, except motions pursuant to Fed R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have <sup>not</sup> consented to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

**IT IS SO ORDERED.**

*Deane K. Charnov*  
U.S. Magistrate Judge  
August 25, 2005



## Notice of Distribution

This notice confirms a copy of the document docketed as number 12 in case 2:04-CV-02939 was distributed by fax, mail, or direct printing on August 29, 2005 to the parties listed.

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Honorable Jon McCalla  
US DISTRICT COURT